



U.S. Equal Employment Opportunity Commission

Press Release

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Kaiser to Pay \$140,000 to Settle EEOC Racial Harassment Lawsuit

Settles Federal Charges It Ignored Employee's Reports of Repeated Use of Racial Slur

TACOMA, Wash. — Kaiser Foundation Health Plan of Washington has agreed to pay \$140,000 to an African American employee at its Tacoma Medical Center and provide other relief to resolve a racial harassment lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, Kaiser permitted an African American employee to be harassed by her coworker's repeated use of a version of the n-word, even after she had explained she found the term offensive and discriminatory. Despite her reports of the co-worker's use of racially-charged language, Kaiser's human resources department failed to adequately investigate subsequent complaints about the racially hostile work environment and did not take adequate remedial measures to stop the racial harassment.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which requires employers to investigate and take steps to prevent racial harassment in the workplace. The EEOC filed its lawsuit (EEOC v. Kaiser Foundation Health Plan of

Washington, *Case No. 2:21-cv-01338-LK*) in U.S. District Court for the Western District of Washington after first attempting to reach a pre-litigation settlement through its conciliation process.

Under the three-year consent decree settling the suit, Kaiser will pay \$140,000 to the African American employee and will retain a consultant to review its EEO policies and procedures. Kaiser will also adopt and disseminate written expectations holding management and human resources staff accountable for EEO compliance and provide additional training to Tacoma Medical Center employees, managers and to HR employees responding to Kaiser Foundation Health Plan of Washington employees.

“It is not enough to have a workplace policy against racial harassment,” said Nancy Sienko, district director for the EEOC’s San Francisco District. “The law requires employers to follow through on that policy by thoroughly investigating harassment complaints and taking effective action to end a hostile work environment.”

“Using a derivation of the n-word at work can create a racially hostile environment said EEOC Senior Trial Attorney Raymond Cheung. “I applaud the worker for her courage in informing her co-worker that such language was offensive, reporting to her employer when her colleague did not stop, and filing a charge with the EEOC when her employer did not protect her. I hope this settlement brings her some measure of relief.”

For more information about race discrimination visit <https://www.eeoc.gov/racecolor-discrimination> (<https://www.eeoc.gov/racecolor-discrimination>).

The EEOC’s Seattle Field Office has jurisdiction over Washington, Alaska, Oregon, Idaho, and Montana.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov (<http://www.eeoc.gov>). Stay connected with the latest EEOC news by subscribing to our [email updates \(https://public.govdelivery.com/accounts/USEEOC/subscriber/new\)](https://public.govdelivery.com/accounts/USEEOC/subscriber/new).